



ENERGY AND ENVIRONMENT CABINET

Steven L. Beshear
Governor

Department for Environmental Protection
Division of Waste Management
200 Fair Oaks
Frankfort, Kentucky 40601
www.waste.ky.gov

Leonard K. Peters
Secretary

August 1, 2011

Dear County Judge Executive and/or 109 Board Chair:

Now is the time to apply for 2012 Litter Abatement Grant Funding. The purpose of this letter is to provide you with information about the Litter Abatement Grant program and to provide you with a copy of the grant agreement and related forms. For this grant cycle:

- There is no match requirement for this grant.
- The signed "County Request and Agreement for Litter Abatement Grant Funding," attached, **must be received in this office by close of business November 1, 2011**, pursuant to KRS 224.43-505. Litter abatement grant agreements received after that date will not be accepted.
- **The amount of grant funding each county is eligible to receive will not be determined until after November 1, 2011.** Once all applications are received, the amount of funding available per county will be calculated in accordance with statutory requirements.
- The litter abatement grant funding is to be used for direct expenses, as defined in 401 KAR 49:080 Section 3, incurred during calendar year 2012, associated with anti-litter control programs; for litter cleanup on public roads as provided in KRS 224.43-505; and to meet the requirements established in KRS 224.43-345.
- **Counties are not responsible for contacting their eligible cities before applying for this grant.** The cabinet will notify all incorporated cities of the availability of and eligibility requirements for this grant; enter into agreements directly with those eligible cities that apply; and obtain program information directly from those grantee cities rather than from the counties. If an incorporated city does not receive litter grant funding from the cabinet, then the county is responsible for performing two (2) city street cleanups in that incorporated city during the calendar year. 401 KAR 49:080 Section 4(2).
- By March 1, 2013, the county shall submit **along with its Annual Report** a completed "**Litter Abatement Annual Reporting Form**" as well as a completed "**Certification of Use of Litter Abatement Grant Funding**" signed by the head of the governing body. *(Do not submit the certification form with your signed grant agreement; that certification form addresses litter abatement activities **during 2012** and is not to be submitted until March 1, 2013.)* By submitting these completed forms, the county is providing the cabinet with necessary information about its annual litter

abatement program and **will not need to provide any information about litter abatement activities or expenditures on the actual Annual Report form itself.**

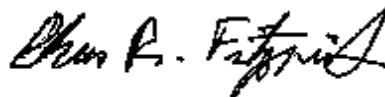
- Litter abatement grant funds not spent during calendar year 2012 must be reimbursed to the cabinet by April 15, 2013.
- Per 401 KAR 49:080, Section 6, any county failing to comply with the terms of the litter abatement grant agreement shall be ineligible for litter abatement grant funding for the following year.
- Per 401 KAR 49:080, Section 4(b), "Anti-litter control program grant recipients shall keep documentation related to grant activities, including grant expenditure documentation, for at least three (3) years."

Litter abatement grant funds will be disbursed by approximately January 1, 2012. Please verify address and Federal ID information on the Litter Abatement Grant Funding agreement for accuracy. **Submit the signed litter abatement grant form by close of business on November 1, 2011 to:**

Lisa G. Evans, Grant Administrator
Recycling and Local Assistance Branch
Kentucky Division of Waste Management
200 Fair Oaks, 2nd Floor
Frankfort, Kentucky 40601

If you have any questions, contact Lisa G. Evans or me at (502) 564-6716.

Sincerely,



Chris R. Fitzpatrick, Manager
Recycling and Local Assistance Branch

cc: SWC

COUNTY REQUEST AND AGREEMENT FOR ANTI-LITTER CONTROL PROGRAM GRANT FUNDING

_____ County hereby applies for grant funding for anti-litter control program activities allowed pursuant to KRS 224.43-505.

The county understands and agrees to the following terms and conditions:

- The grantee shall conduct three litter cleanups along public roads each year as required by KRS 224.43-345, 401 KAR 49:080 Section 1(5), and 401 KAR 49:080, Section 3(1). A public road cleanup is defined as the “cleanup of litter along a number of public road miles equivalent to one-third (1/3) of the total public road miles in the solid waste management area, excluding total city street miles.”
- Unless the incorporated city received litter abatement grant funding, the grantee shall conduct litter cleanups along city streets two (2) times per year. A city street cleanup is defined as the “cleanup of litter along a number of city street miles equivalent to one-half (1/2) of a city’s total street miles.”
- The amount of anti-litter control program grant funding is determined in accordance with KRS 224.43-505 and the number of applicants applying for the grant.
- The anti-litter control program grant funding shall be used for direct expenses, as defined in 401 KAR 49:080, Section 1(2), incurred during calendar year 20__, associated with anti-litter control programs, for litter cleanup on public roads and city streets as provided in KRS 224.43-505, and to meet the requirements established in KRS 224.43-345.
- By March 1, 20__, the county shall submit with its Annual Report to the Division of Waste Management a completed “Anti-Litter Control Program Annual Report”, as well as a completed “Certification of Use of Anti-Litter Control Program Grant Funding”.
- Anti-litter control program grant funds not spent during the calendar year shall be reimbursed to the Cabinet by April 1 of the following year.

County	_____	Signature, County Judge/Executive or 109 Board Chair	
Business Address:	_____	_____	_____
	Street	City	Zip
Federal ID Number:	_____		

20__ ANTI-LITTER CONTROL PROGRAM ANNUAL REPORT

Grant recipient:

Litter Expenditures	Total Cost (amount spent from all funding sources)
Total Disposal Cost:	
Total Personnel Cost:	
Total Education Cost:	
Other Litter Program Expenditures:	
Total Litter Expenditures:	

Total Road Miles Cleaned: _____

Total # of Bags Disposed: _____

PRINT Name of Person Completing Report: _____

SIGNATURE of Person Completing Report: _____

PHONE:

EMAIL:

Certification of Use of Anti-Litter Control Program Grant Funding

I, _____, (Name), _____ (Title) of _____, hereby certify under penalty of law that all funds from its 20__ Anti-Litter Control Program Grant from the Kentucky Division of Waste Management were used for direct expenses, as defined in 401 KAR 49:080 Section 1(2), incurred during calendar year 20__, associated with anti-litter control programs; for litter cleanup on public roads as provided in KRS 224.43-505; and to meet the requirements established in KRS 224.43-345. I am aware that KRS 224.99-010(4) provides for penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Date

Frequently Asked Questions for Anti-Litter Control Program Grants

What are eligible expenses for anti-litter control program grants?

- Anti-litter control program grant recipients shall use grant funding for “**direct expenses**” associated with public road cleanup and city street cleanup requirements referred to in KRS 224.43-505(d)(5). See 401 KAR 49:080, Section 4(2)(a).
- “**Direct expenses**” include staff time, supplies, contract costs, expenditures related to the operation of equipment, actual disposal costs incurred, and activities, including education, focusing on litter prevention and litter cleanup along public roadways. Direct expenses do not include the purchase of a motor vehicle or lease of a motor vehicle when the lease includes a purchase option. See 401 KAR 49:080, Section 1(2)(a).

Does “public road” mean only a county road, or does it also include state roads?

- "Public road" means any city, county, state, federal, or limited access street, highway, or turnpike, including bridges and bridge approaches. See KRS 224.43-500(1)(c).

What forms must the grant recipient submit to the cabinet after performing anti-litter control program activities with grant funds?

- Certification of Use of Anti-Litter Control Program Grant Funding, DEP 0059. The form is available [here](#). Incorporated cities must submit this form to the cabinet by February 1. See 401 KAR 49:080, Section 4(6)(b)3. Counties must submit this form to the cabinet by March 1. See 49:080, Section 4(6)(b)2. This form must be signed by the head of the governing body. See 401 KAR 49:080, Section 4(6)(b)1.
- Anti-Litter Control Program Annual Report Form, DEP 8061. The form is available [here](#). Incorporated cities must submit this form to the cabinet by February 1. See 49:080, Section 4(7). Counties must submit this form to the cabinet by March 1. See 401 KAR 49:080, Section 3(3).

How long must anti-litter control program grant recipients keep documentation related to grant activities, including grant expenditure documentation?

- Anti-litter control program grant recipients shall keep documentation related to grant activities, including grant expenditure documentation, for at least three (3) years. See 401 KAR 49:080, Section 4(2)(b).

What if the grant recipient does not spend all litter grants funding during the calendar year?

- Anti-litter control program grant funding not spent in the calendar year it is received shall be returned to the cabinet by April 15 of the following year. See 401 KAR 49:080, Section 4(8).

Where can I find 401 KAR 49:080?

- By clicking [here](#) or going to <http://www.lrc.ky.gov/kar/401/049/080reg.htm> .